

**STATE OF INDIANA
INDIANA CIVIL RIGHTS COMMISSION**

GREGORY L. WILSON, SR., in his official
capacity as EXECUTIVE DIRECTOR of the
INDIANA CIVIL RIGHTS COMMISSION,
Complainant,

vs.

BEACH RENTALS and JESSICA BEACH,
Respondents.

) Docket No.: HOha17061140

) HUD No.: 05-17-8533-8

DATE FILED

MAR 15 2019

ICRC
COMMISSION

FINAL ORDER

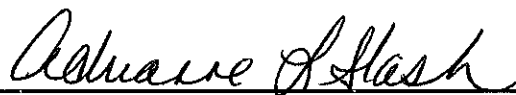
On February 18, 2019, Hon. Caroline A. Stephens Ryker, Administrative Law Judge ("ALJ") for the Indiana Civil Rights Commission ("ICRC") issued her Initial Findings of Fact, Conclusions of Law, and Order ("Order"). The parties had opportunity to object to the Order; neither party objected. With no objection or intent to review on record, the Commission shall affirm the Order. IC 4-21.5-3-29(c). After consideration of the record in this matter and the Order,

THE COMMISSION HEREBY ORDERS:

1. The findings of fact and conclusions of law as stated in the Order, a copy of which is attached hereto, are incorporated herein by reference. IC 4-21.5-3-28(g)(2)
2. The Order is AFFIRMED under IC 4-21.5-3-29 and hereby becomes the Final Order disposing of the proceedings. IC 4-21.5-3-27(a)

Either party to a dispute filed under IC 22-9 may, not more than thirty (30) days after the date of receipt of the Commission's final appealable order, appeal to the court of appeals under the same terms, conditions, and standards that govern appeals in ordinary civil actions. IC 22-9-8-1.

ORDERED by the Commission the majority vote of
5 Commissioners on March 15th, 2019



Adrienne Slash, Chair
Indiana Civil Rights Commission

ORDERED by the Commission the majority vote of 5 Commissioners on March 15th,
2019

Adrienne A. Slash, Adrienne Slash, Chair

Certificate of Service

Served this 15 day of March by United States Mail on the following:

Patricia King
310 North Buckley St
Osgood, IN 47037

Henry A. Pictor
P.O. Box 95
Batesville, IN 47006

Beach Rentals Jessica Beach
608 W. US. Highway 50
Versailles, IN 47042

and to be personally served on:

Michael C. Healy, Esq.; Staff Counsel
Indiana Civil Rights Commission
100 North Senate Avenue, Room N300
Indianapolis, IN 46204-2255

Gregory L. Wilson, Executive Director
Indiana Civil Rights Commission
100 North Senate Avenue, Room N300
Indianapolis, IN 46204-2255



Anehitia Eromosele, Docket Clerk

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) DATE FILED

) FEB 18 2019

) OFFICE OF THE
ADMINISTRATIVE JUDGE

**INITIAL FINDINGS OF FACT, CONCLUSIONS OF LAW,
AND ORDER**

On February 15, 2019, Executive Director Gregory L. Wilson, Sr. ("Complainant") by counsel and Beach Rentals and Jessica Beach ("Respondent") by counsel (collectively referred to herein as "the Parties") filed with the Indiana Civil Rights Commission ("Commission") their "Joint Motion to Dismiss Complainant and Charge" ("Motion").

Having carefully considered the foregoing and being duly advised in the premises, the undersigned ALJ for the Indiana Civil Rights Commission ("ICRC") issues the following initial findings of fact, conclusions of law, and order.

FINDINGS OF FACT

1. The Aggrieved Party filed a Complaint of Discrimination with the ICRC on June 21, 2017 against Respondent, alleging unlawful housing discrimination on the basis of disability in a violation of the Indiana Civil Rights Law, Ind. Code 22-9 ("the ICRL") and the Indiana Fair Housing Act, Ind. Code 22-9.5 ("the IFHA").

2. On September 5, 2017, the ICRC Deputy Director issued a Notice of Finding, finding reasonable cause to believe a violation of the IFHL and ICRL had occurred.

3. On January 30, 2019, the Aggrieved Party requested, in writing, that the complaint be dismissed. Counsel for Complainant represents that there was no evidence of coercion, duress, or undue influence concerning the Aggrieved Party's request.

4. The Parties jointly filed the Motion before a hearing on the record had begun.
5. There is no evidence of fraud, coercion, duress, or any other reason not to grant the requested dismissal.
6. Any Conclusion of Law that should have been deemed a Finding of Fact is hereby adopted as such.

CONCLUSIONS OF LAW

1. The Commission has jurisdiction over the subject matter and the Parties.
2. The Parties did not file a "consent agreement" requiring approval by and signature of a majority of the commissioners and enforceable as a final order. IC 22-9-1-6(o); 910 IAC 1-3-4.
3. Administrative review of this proposed decision may be obtained by the filing of a writing identifying with reasonable particularity each basis of each objection within fifteen (15) days after service of this proposed decision. IC 4-21.5-3-29(d).
4. Any Finding of Fact that should have been deemed a Conclusion of Law is hereby adopted as such.

ORDER

1. The Parties' Motion is **GRANTED**.
2. Complainant's Complaint of Discrimination is **DISMISSED**, with prejudice.
3. All previously set deadlines, conferences, and hearings are hereby **VACATED**.
4. The Parties request that each of the Parties shall bear his or her own costs and fees associated with this action is **GRANTED**.

Dated this 18th of February, 2019



Hon. Caroline A. Stephens Ryker
Administrative Law Judge
Indiana Civil Rights Commission
100 North Senate Avenue, Room N300
Indianapolis, IN 46204-2255
Anehitia Eromosele, Docket Clerk
317/234-6358

Certificate of Service

Served this 18 day of February in 2019 by United States Mail on the following:

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